

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:	§	
	§	Case No. 21-30071
THE GATEWAY VENTURES LLC,	§	(Chapter 11)
	§	
Debtor.	§	
	§	

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**MOTION OF DEBTOR TO EXTEND TIME FOR FILING CERTAIN  
LISTS, SCHEDULES, AND STATEMENTS PURSUANT TO  
BANKRUPTCY RULE 1007**

**TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:**

The Gateway Ventures LLC debtor and debtor in possession (“TGV” or the “Debtor”) file this *Motion of Debtor to Extend Time for Filing Certain Lists, Schedules, and Statements Pursuant to Bankruptcy Rule 1007* and in support thereof would show the Court the following.

**INTRODUCTION**

1. This motion seeks authorization for the Debtor to file schedules, equity security holders list, and the statement of financial affairs by **February 26, 2021**.

2. The meeting of creditors is scheduled for March 4, 2021.

**JURISDICTION AND VENUE**

3. The Court has jurisdiction over this action pursuant to, and without limitation §§ 105, 363, 507, and 1101 et seq. of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. (the “Code”).

4. Venue action is proper in this Court pursuant to 28 U.S.C. § 1409.

5. The Court may try this action to a conclusion and enter final orders under *Stern v. Marshall*, 131 S. Ct. 2594 (U.S. 2011).

## **FACTUAL BACKGROUND**

### **The identify and background of the Debtors and Debtors in Possession.**

6. TGV owns and is developing a tract of commercial real property in El Paso Count, Texas.

### **The Commencement of the Bankruptcy Cases.**

7. On February 2, 2020, TGV commenced the above-captioned Chapter 11 case by filing a voluntary petition.

8. TGV commenced this case in order to stop the foreclosure of the El Paso County real property by the first lien holder and following the exhaustion of attempts to delay foreclosure in order to complete one or more sales of some or all of the property.

### **Factual background in support of the relief requested, and basis of relief.**

9. TGV retained the undersigned law firm as of January 26, 2021.

10. The schedules and related initial pleadings are due on February 16, 2021.

11. The meeting of creditors is set on March 4, 2021..

12. Debtor seeks an extension of time to file its schedules and other initial pleadings to **February 26, 2021**.

13. Bankruptcy Rules 1007(a)(5) and (c) authorizes the Court to grant an extension of the date by which the lists and the schedules and statements of the Debtor must be filed pursuant to Bankruptcy Rule 1007, “on motion for cause shown.”

14. Cause exists for an extension due to the following circumstances including the following circumstances.

- a. The undersigned has experienced electricity and internet service interruptions due to the recent winter storms.

- b. The forms software application of the undersigned law firm is on a network server and not on a local device that otherwise might be accessible in the absence of a consistent, sustained internet connection.
- c. The undersigned was retained just prior to the commencement of this case and otherwise requires more time to complete the schedules and initial pleadings.

15. If the extension is granted, the schedules and related items will be filed six (6) days prior to the Code §341 meeting of creditors.

16. Courts routinely have granted similar relief in other cases. Accordingly, the Debtor's request for an extension of time to file the schedules and related items is appropriate and warranted under the circumstances.

17. Notice of this Motion has been provided to the Office of the United States Trustee for the Western District of Texas, and all creditors identified to date.

### **RELIEF REQUESTED**

18. Accordingly, pursuant to Rule 1007, TGV respectfully requests an extension through and until **February 26, 2021** of the time to permitted to file its schedules, list of equity security holders, and statement of financial affairs, and any other items required by Rule 1007.

### **CONCLUSION AND PRAYER**

WHEREFORE, The Gateway Ventures LLC, the debtor and debtor-in-possession respectfully request that the Court enter an order (i) extending through and until **February 26, 2021** the time permitted to file its schedules, list of equity security holders, and statement of financial affairs, and any other items required by Rule 1007; and (ii) granting such other and further relief to which the Debtor may be entitled at law or in equity.

Dated: February 16, 2021

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth

JEFF CARRUTH (TX SBN: 24001846)

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PROPOSED ATTORNEYS FOR THE GATEWAY  
VENTURES LLC, DEBTOR AND DEBTOR IN  
POSSESSION

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served on February 16, 2021 (1) by electronic notice to all ECF users who have appeared in this case to date, as set forth below and (2) by regular mail to all parties appearing in the attached address list (i.e. mailing matrix) obtained from the Court's PACER facility as attached below.

/s/ Jeff Carruth

JEFF CARRUTH

**ECF SERVICE LIST**

**21-30071-hcm Notice will be electronically mailed to:**

Jeff Carruth on behalf of Debtor The Gateway Ventures, LLC  
[jcarruth@wkpz.com](mailto:jcarruth@wkpz.com), [jcarruth@aol.com](mailto:jcarruth@aol.com); [ATTY\\_CARRUTH@trustesolutions.com](mailto:ATTY_CARRUTH@trustesolutions.com)

Harrel L. Davis, III on behalf of Creditor Suresh Kumar  
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Clyde A. Pine, Jr. on behalf of Creditor HD Lending, LLC  
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United States Trustee - EP12  
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Eric Charles Wood on behalf of Creditor Westar Investors Group, LLC  
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Eric Charles Wood on behalf of Creditor Suhail Bawa  
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**REGULAR MAIL LIST / MATRIX**

Label Matrix for local noticing 0542-3 Case 21-30071-hcm Western District of Texas El Paso Fri Feb 5 14:41:39 CST 2021	The Gateway Ventures, LLC c/o PDG Prestige, Inc. 780 N Resler Drive, Suite B El Paso, TX 79912-7196	U.S. BANKRUPTCY COURT 511 E. San Antonio Ave., Rm. 444 EL PASO, TX 79901-2417
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HD Lending LLC 6080 Surety Dr. Ste 101 El Paso, TX 79905-2066	HD Lending LLC c/o Stephen H. Nickey PC 1201 North Mesa Ste. B El Paso, TX 79902-4000	HD Lending, LLC c/o Clyde A. Pine, Jr. Mounce Green Myers P.O. Box 1977 El Paso, Texas 79999-1977
Internal Revenue Service Special Procedures Staff - Insolvency P. O. Box 7346 Philadelphia, PA 19101-7346	Marty D. Price 2514 Boll St. Dalals, TX 75204-2512	Michael Dixon 780 N. Resler Drive Suite B El Paso, TX 79912-7196
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Suresh Kumar c/o Harrel Davis PO Box 1322 El Paso, TX 79947-1322	Umesh Shrestha 8505 Revenue Way North Richland Hills, TX 76182-7431	United States Trustee - EP12 U.S. Trustee's Office 615 E. Houston, Suite 533 P.O. Box 1539 San Antonio, TX 78295-1539
Westar Investor Group LLC c/o Eric Wood (Brown Fox) 8111 Preston Rd. Ste 300 Dallas, TX 75225-6329	Westar Investors Group, LLC c/o Eric W. Wood Brown Fox PLLC 5550 Granite Parkway, Suite 175 Plano, Texas 75024 Email: eric@brownfoxlaw.com 75024-3834	Jeff Carruth Weyer Kaplan Pulaski & Zuber, P.C. 25 Greenway Plaza, #2050 Houston, TX 77046
End of Label Matrix Mailable recipients 23 Bypassed recipients 0 Total 23		

**PROPOSED ORDER**

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:	§	
	§	Case No. 21-30071
THE GATEWAY VENTURES LLC,	§	(Chapter 11)
	§	
Debtor.	§	
	§	

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**ORDER GRANTING MOTION OF DEBTOR TO EXTEND TIME FOR  
FILING CERTAIN LISTS, SCHEDULES, AND STATEMENTS  
PURSUANT TO BANKRUPTCY RULE 1007 (RE: DOCKET NO. 17)**

On this day came on for consideration the *Emergency Motion of Debtor to Extend Time for Filing Certain Lists, Schedules, and Statements Pursuant to Bankruptcy Rule 1007* (Docket No. 17) filed herein on February 16, 2021 by The Gateway Ventures LLC, debtor and debtor in possession (“TGV” or the “Debtor”). The Court finds and concludes that upon review of the record of this case that sufficient notice was provided in accordance with the Federal Rules of Bankruptcy Procedures and/or the Local Bankruptcy Rules and with respect to the Motion to Extend Time (Schedules) that cause exists to grant the relief requested therein.

**IT IS THEREFORE ORDERED THAT** the deadline under Fed. R. Bankr. P. 1007 for the Debtor to file the schedules, statement of financial affairs, and other remaining lists due under Rule 1007 is extended to **February 26, 2021.**

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